

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**


<b>UNITED STATES OF AMERICA,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>No. 3:10-CR-0004-P (02)</b>
	)	
<b>ALEX NOEL MENDOZA-CANO,</b>	)	
<b>ID # 39625-177,</b>	)	
<b>Defendant.</b>	)	

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the Court finds that the defendant's notice of appeal to the order denying his motion for reconsideration, entered on September 3, 2013, was untimely because of excusable neglect or good cause.

The Clerk's Office is **DIRECTED** to forward a copy of the Magistrate Judge's Findings and Conclusions and a copy of this Order to the Fifth Circuit Court of Appeals.

**SIGNED this 18<sup>th</sup> day of March, 2014.**

  
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**JORGE A. SOLIS**  
**UNITED STATES DISTRICT JUDGE**